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November 3, 2003

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Re: Application of MAGILL, Joseph, and PEERANI, Paolo
A NEUTRON AMPLIFIER ASSEMBLY
Assignee: EUROPEAN COMMUNITY (EC)
Our Ref: Q78276

Dear Sir:

This is a request for a Divisional Application of pending prior Application No. 09/958,905 (Confirmation No.7936) filed October 15, 2001 of MAGILL, Joseph, and PEERANI, Paolo entitled A NEUTRON AMPLIFIER ASSEMBLY, which is the national stage of PCT/EP00/03179 filed April 20, 1999.

This application is being filed under 37 C.F.R. § 1.53(b). Enclosed is a specification (9 pages), including the claims and abstract, 2 sheet(s) of drawings, and a copy of the Declaration and a copy of Verified Statement Claiming Small Entity Status as filed in the prior application. Also enclosed is an Information Disclosure Statement, and a PTO/SB/08 A & B (modified) listing references cited by applicant and/or the examiner during prosecution of the prior application.

The prior application is assigned to Group Art Unit 3641.

A Preliminary Amendment is submitted herewith amending the specification by inserting before the first line the sentence:

This is a divisional of Application No. 09/958,905 filed October 15, 2001, which is the national stage of PCT/EP00/03179 filed April 20, 1999, the disclosure of all of which is incorporated herein by reference.

Priority is claimed from:

| <u>Country</u> | <u>Application No</u> | <u>Filing Date</u> |
|----------------|-----------------------|--------------------|
| European | 99107327.1 | April 20, 1999 |

The priority document was received in parent Application No. 09/958,905 by the PTO from the International Bureau.

Applicant claims benefit of small entity status in accordance with 37 CFR § 1.27.



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The Government filing fee is calculated as follows (Small Entity fees apply):

| | | | | | | | | |
|--------------------|----------------|---|-------------------|---|---------|---|-------------------|----------|
| Total claims | <u>14</u> - 20 | = | <u> </u> | X | \$9.00 | = | <u> </u> | \$.00 |
| Independent claims | <u>1</u> - 3 | = | <u> </u> | X | \$43.00 | = | <u> </u> | \$.00 |
| Base Fee | | | | | | | | \$385.00 |

TOTAL FILING FEE

\$385.00

In view of the Office Action dated October 2, 2003 in parent Application No. 09/958,905, it is believed that the request for continued examination (RCE) filed August 28, 2003 was not entered. Thus, it is requested that the check for \$375 for the RCE fee submitted on August 28, 2003 be applied to the present divisional application, and that the additional \$10 required for the divisional application be charged to Deposit Account No. 19-4880. If the check for \$375 for the RCE fee submitted on August 28, 2003 cannot be applied to the present divisional application, please charge the statutory fee of \$385.00 to Deposit Account No. 19-4880. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this transmittal letter is attached.

The application is timely filed on November 3, 2003, November 2, 2003 being a Sunday (the Office Action dated October 2, 2003 in parent Application No. 09/958,905 set a one month period for response).

Respectfully submitted,

SUGHRUE MION, PLLC

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